

Document No. 4750

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL****CHAPTER 61**

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

## 61-62. Air Pollution Control Regulations and Standards.

**Synopsis:**

1. Pursuant to the South Carolina Pollution Control Act, S.C. Code Section 48-1-10 et seq. (2008), along with the federal Clean Air Act, 42 U.S.C. Sections 7410, 7413, and 7416, the S.C. Department of Health and Environmental Control must ensure national primary and secondary ambient air quality standards are achieved and maintained in South Carolina. No state may adopt or enforce an emission standard or limitation less stringent than these federal standards or limitations pursuant to 42 U.S.C. Section 7416.
2. The United States Environmental Protection Agency ("EPA") promulgates amendments to the Code of Federal Regulations ("CFR") throughout each calendar year. Recent federal amendments to 40 CFR Parts 50, 51, 52, 60, 61, 63 and 70 include clarification, guidance and technical amendments regarding state implementation plan ("SIP") requirements promulgated pursuant to 42 U.S.C. Sections 7410 & 7413, New Source Performance Standards ("NSPS") mandated by 42 U.S.C. Section 7411, federal National Emission Standards for Hazardous Air Pollutants ("NESHAP") for Source Categories mandated by 42 U.S.C. Section 7412, and Prevention of Significant Deterioration ("PSD") and Title V Operating Program provisions promulgated under title I and title V of the CAA.
3. The Department has amended Regulation 61-62.1, Definitions and General Requirements; Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration; Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards; Regulation 61-62.61, National Emission Standards for Hazardous Air Pollutants; Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories; Regulation 61-62.70, Title V Operating Permit Program; and the South Carolina SIP, to adopt the federal amendments to these standards promulgated from January 1, 2016, through December 31, 2016.
4. These amendments also add Regulation 61-62.97, Cross-State Air Pollution Rule (CSAPR) Trading Program, to incorporate the EPA's CSAPR trading program for South Carolina in 40 CFR Part 97 for NO<sub>x</sub> (Annual) and SO<sub>2</sub> (Annual), as published in the *Federal Register* on August 8, 2011 (76 FR 48208) and subsequently amended on June 12, 2012 (77 FR 34830), December 3, 2014 (79 FR 71663), and October 26, 2016 (81 FR 74504). This regulation addresses mandatory transport and regional haze SIP infrastructure elements pursuant to 42 U.S.C. Sections 7410 and 7491.
5. Other changes to Regulation 61-62 were made that include corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of Regulation 61-62 as necessary. The citations where these revisions were made are listed within the Section-by-Section Discussion of Amendments.
6. South Carolina industries are already subject to these national air quality standards as a matter of federal law. Thus, there will be no increased cost to the State or its political subdivisions resulting from codification of these amendments to federal law. The state of South Carolina is already reaping the environmental benefits of these amendments.
7. In accordance with S.C. Code Section 1-23-120(H) (Supp. 2016), legislative review is not required for these amendments because the amendments were promulgated to maintain compliance with federal law. As such, neither an assessment report nor a fiscal impact statement is required.

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8. A Notice of Drafting was published in the *State Register* on January 27, 2017.

### Section-by-Section Discussion of Amendments:

#### SECTION CITATION/EXPLANATION OF CHANGE:

##### **Regulation 61-62.1, Definitions and General Requirements**

Regulation 61-62.1, Section I, Definitions:

Definition 100.c. is stricken in its entirety to address the revision to the regulatory definition of volatile organic compounds (VOCs) at 81 FR 9339, February 25, 2016.

##### **Regulation 61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO<sub>x</sub>)**

Regulation 61-62.5, Standard No. 5.2, Section III, Table 1:

Table 1 is amended at Pulverized Coal-Fired Boilers to remove the bold font from the phrase “Selective Catalytic Reduction” for appropriate codification and consistency.

Regulation 61-62.5, Standard No. 5.2, Section III, Table 1:

Table 1 is amended at Internal Combustion Engines to remove the italics font from the phrases “Timing Retard ≤ 4 degrees”, “Turbocharger with Intercooler”, “490 ppmv”, “15”, and “O<sub>2</sub>” for appropriate codification and consistency.

Regulation 61-62.5, Standard No. 5.2, Section IV, Monitoring, Record Keeping, and Reporting Requirements for New Affected Sources:

Paragraph A(2)(a) is amended to strike the word “or” from the phrase, “greater or permitted for solid fuels” for clarity and accuracy.

Regulation 61-62.5, Standard No. 5.2, Section IV, Monitoring, Record Keeping, and Reporting Requirements for New Affected Sources:

Paragraph B(5) is amended to strike the word “of” and replace with the word “or” in the phrase “owner of operator,” to read “owner or operator” for clarity and correctness.

##### **Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration**

Regulation 61-62.5, Standard No. 7, Section (b), Definitions:

Paragraph (b)(34)(vi)(b) is amended to add the word “and” following the semi-colon, and Paragraph (b)(34)(vi)(c) is amended to strike the semi-colon and the word “and” following the semi-colon, and replace with a period, for correct codification.

Regulation 61-62.5, Standard No. 7, Section (q), Public Participation:

Paragraphs (q)(2)(ii), (iii), (vi), and (viii) are amended to address federal revisions to public notice provisions for Clean Air Act permitting programs at 81 FR 71613, October 18, 2016.

Regulation 61-62.5, Standard No. 7, Section (w), Permit Rescission:

Paragraph (w) is amended to change “(w)” to bold font for consistency in codification.

Regulation 61-62.5, Standard No. 7, Section (w), Permit Rescission:

Paragraphs (w)(1), (2), and (3) are amended to address federal revisions concerning rescission of preconstruction permits issued under the Clean Air Act at 81 FR 78043, November 7, 2016.

Regulation 61-62.5, Standard No. 7, Section (w), Permit Rescission:

Paragraph (w)(4) is amended to address federal revisions to public notice provisions in Clean Air Act Permitting Programs at 81 FR 71613, October 18, 2016.

Regulation 61-62.5, Standard No. 7, Section (aa), Actuals PALs:

Paragraph (aa) is amended to change “(aa)” to bold font for consistency in codification, and amended to strike the citation “(15)” and replace with “(aa)(15)” for correct codification.

Regulation 61-62.5, Standard No. 7, Section (aa), Actuals PALs:

Paragraph (aa)(1)(i) is amended to remove the underline from the citation “(aa)(15)” for consistency and appropriate codification.

Regulation 61-62.5, Standard No. 7, Section (aa), Actuals PALs:

Paragraph (aa)(9) is amended to strike the citation “(aa)(9)(i)(v)” and replace with “(aa)(9)(v)” for correct codification.

Regulation 61-62.5, Standard No. 7, Section (aa), Actuals PALs:

Paragraph (aa)(11)(i) is amended to strike the citation “(aa)(10)(iv)(d)” and replace with “(aa)(11)(i)(d)” for correct codification.

Regulation 61-62.5, Standard No. 7, Section (aa), Actuals PALs:

Paragraph (aa)(14)(i) is amended to add a close parenthesis to the citation “(aa)(14)(i)(g)” to read, “(aa)(14)(i)(g)” for correct codification.

Regulation 61-62.5, Standard No. 7, Section (bb):

Paragraph (bb) is amended to change “(bb)” to bold font for consistency in codification.

**Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards**

Regulation 61-62.60, Subpart A, “General Provisions”:

Subpart A, Table, is amended to incorporate federal revisions at 81 FR 35824, June 3, 2016; 81 FR 42542, June 30, 2016; 81 FR 59276 and 59332, August 29, 2016; and 81 FR 59800, August 30, 2016 by reference.

Regulation 61-62.60, Subpart Cf, “Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills”:

Subpart Cf, Table, is added to incorporate newly promulgated federal regulations at 81 FR 59276, August 29, 2016 by reference.

Regulation 61-62.60, Subpart Da, “Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978”:

Subpart Da, Table, is amended to incorporate federal revisions at 81 FR 20172, April 6, 2016 by reference.

Regulation 61-62.60, Subpart Ja, “Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007”:

Subpart Ja, Table, is amended to incorporate federal revisions at 81 FR 45232, July 13, 2016 by reference.

Regulation 61-62.60, Subpart GG, “Standards of Performance for Stationary Gas Turbines”:

Subpart GG, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016 by reference.

Regulation 61-62.60, Subpart BBB, “Standards of Performance for the Rubber Tire Manufacturing Industry”:

Subpart BBB, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016; and 81 FR 43950, July 6, 2016 by reference.

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Regulation 61-62.60, Subpart DDD, “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry”:

Subpart DDD, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016 by reference.

Regulation 61-62.60, Subpart III, “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes”:

Subpart III, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016; and 81 FR 43950, July 6, 2016 by reference.

Regulation 61-62.60, Subpart LLL:

Subpart LLL is retitled “Standards of Performance for SO<sub>2</sub> Emissions from Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011” for consistency with federal regulations, and Subpart LLL, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016, and 81 FR 43950, July 6, 2016 by reference.

Regulation 61-62.60, Subpart NNN, “Standards of Performance for Volatile Organic Compounds (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations”:

Subpart NNN, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016; and 81 FR 43950, July 6, 2016 by reference.

Regulation 61-62.60, Subpart XXX, “Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014”:

Subpart XXX, Table, is added to incorporate newly promulgated federal regulations at 81 FR 59332, August 29, 2016 by reference.

Regulation 61-62.60, Subpart CCCC:

Subpart CCCC is retitled “Standards of Performance for Commercial and Industrial Solid Waste Incineration Units” for consistency with federal regulations, and Subpart CCCC, Table, is amended to incorporate federal revisions at 81 FR 40956, June 23, 2016 by reference.

Regulation 61-62.60, Subpart DDDD:

Subpart DDDD is retitled “Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units” for consistency with federal regulations, and Subpart DDDD, Table, is amended to incorporate federal revisions at 81 FR 40956, June 23, 2016 by reference.

Regulation 61-62.60, Subpart IIII, “Standards of Performance for Stationary Compression Ignition Internal Combustion Engines”:

Subpart IIII, Table, is amended to incorporate federal revisions at 81 FR 44212, July 7, 2016 by reference.

Regulation 61-62.60, Subpart JJJJ, “Standards of Performance for Stationary Spark Ignition Internal Combustion Engines”:

Subpart JJJJ, Table, is amended to incorporate federal revisions at 81 FR 59800, August 30, 2016 by reference.

Regulation 61-62.60, Subpart KKKK, “Standards of Performance for Stationary Combustion Turbines”:

Subpart KKKK, Table, is amended to incorporate federal revisions at 81 FR 42542, June 30, 2016 by reference.

Regulation 61-62.60, Subpart OOOO:

Subpart OOOO is retitled “Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015” for consistency with federal regulations, and Subpart OOOO, Table, is amended to incorporate federal revisions at 81 FR 35824, June 3, 2016; 81 FR 42542, June 30, 2016; and 81 FR 43950, July 6, 2016 by reference.

Regulation 61-62.60, Subpart OOOOa, “Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After September 18, 2015”:  
Subpart OOOOa, Table, is added to incorporate newly promulgated federal regulations at 81 FR 35824, June 3, 2016 by reference.

**Regulation 61-62.61, National Emission Standards for Hazardous Air Pollutants (NESHAP)**

Regulation 61-62.61, Subpart A, “General Provisions”:  
Subpart A, Table, is amended to incorporate federal revisions at 81 FR 59800, August 30, 2016 by reference.

**Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories**

Regulation 61-62.63, Subpart A, “General Provisions”:  
Subpart A, Table, is amended to incorporate federal revisions at 81 FR 59800, August 30, 2016 by reference.

Regulation 61-62.63, Subpart CC, “National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries”:  
Subpart CC, Table, is amended to incorporate federal revisions at 81 FR 45232, July 13, 2016 by reference.

Regulation 61-62.63, Subpart GG, “National Emission Standards for Aerospace Manufacturing and Rework Facilities”:  
Subpart GG, Table, is amended to incorporate federal revisions at 81 FR 51114, August 3, 2016 by reference.

Regulation 61-62.63, Subpart LLL, “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry”:  
Subpart LLL, Table, is amended to incorporate federal revisions at 81 FR 48356, July 25, 2016 by reference.

Regulation 61-62.63, Subpart RRR, “National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production”:  
Subpart RRR, Table, is amended to incorporate federal revisions at 81 FR 38085, June 13, 2016 by reference.

Regulation 61-62.63, Subpart UUU, “National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units”:  
Subpart UUU, Table, is amended to incorporate federal revisions at 81 FR 45232, July 13, 2016 by reference.

Regulation 61-62.63, Subpart UUUUU, “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units”:  
Subpart UUUUU, Table, is amended to incorporate federal revisions at 81 FR 20172, April 6, 2016 by reference.

Regulation 61-62.63, Subpart EEEEE, “National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources”:  
Subpart EEEEE is amended to add the phrase “and as subsequently amended upon publication in the *Federal Register*” for clarity.

Regulation 61-62.63, Subpart JJJJJ:  
Subpart JJJJJ is retitled “National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources” for consistency with federal regulations, and Subpart JJJJJ, Table, is amended to incorporate federal revisions at 81 FR 63112, September 14, 2016 by reference.

**Regulation 61-62.70, Title V Operating Permit Program**

Regulation 61-62.70, Section 70.7, Permit issuance, renewal, reopening, and revisions:

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Paragraph (e)(2)(ii)(C) is amended to strike the section symbol “§” and replace with the word “Section” to provide clarity and consistency.

Regulation 61-62.70, Section 70.7, Permit issuance, renewal, reopening, and revisions:

Paragraphs (h)(1) and (2) are amended to address federal revisions to public notice provisions for Clean Air Act permitting programs at 81 FR 71613, October 18, 2016.

Regulation 61-62.70, Section 70.9, Fee determination and certification:

Paragraph (b)(2)(ii)(A) is amended to strike the section symbol “§” and replace with the word “Section” to provide clarity and consistency.

### **Regulation 61-62.97, Cross-State Air Pollution Rule (CSAPR) Trading Program**

Regulation 61-62.97 is added to incorporate the EPA’s CSAPR trading program for South Carolina in 40 CFR Part 97 for NO<sub>x</sub> (Annual) and SO<sub>2</sub> (Annual), as published in the *Federal Register* on August 8, 2011 (76 FR 48208) and subsequently amended on June 12, 2012 (77 FR 34830), December 3, 2014 (79 FR 71663), and October 26, 2016 (81 FR 74504). This regulation will address mandatory transport and regional haze SIP infrastructure elements pursuant to 42 U.S.C. Sections 7410 and 7491.

**Instructions:** Amend Regulation 61-62 pursuant to each individual instruction provided with the text below.

**Text:**

### **Regulation 61-62.1, Section I, Definitions**

**Regulation 61-62.1.1.100.c. shall be deleted in its entirety.**

### **Regulation 61-62.5, Standard No. 5.2, Control of Oxides of Nitrogen (NO<sub>x</sub>)**

**Regulation 61-62.5, Standard No. 5.2, Section III, Table 1 at Pulverized Coal-Fired Boilers shall be revised as follows:**

<b>Pulverized Coal-Fired Boilers</b>	
< 250 MMBtu/hr	Low-NO <sub>x</sub> Burners + Combustion controls to minimize NO <sub>x</sub> emissions or equivalent technology, shall achieve 0.35 lb/MMBtu
≥ 250 MMBtu/hr	Low-NO <sub>x</sub> Burners + Combustion controls to minimize NO <sub>x</sub> emissions + Selective Catalytic Reduction (SCR) or equivalent technology, shall achieve 0.14 lb/MMBtu

**Regulation 61-62.5, Standard No. 5.2, Section III, Table 1 at Internal Combustion Engines shall be revised as follows:**

<b>Internal Combustion Engines</b>	
Compression Ignition	Timing Retard ≤ 4 degrees + Turbocharger with Intercooler or equivalent technology, shall achieve 490 ppmv at 15 percent O <sub>2</sub> (7.64 gram per bhp-hour (gm/bhp-hr))
Spark Ignition	Lean-Burn Technology or equivalent technology, shall achieve 1.0 gm/bhp-hr
Landfill or Digester Gas-Fired	Lean-Burn Technology or equivalent technology, shall achieve 1.25 gm/bhp-hr

**Regulation 61-62.5, Standard No. 5.2, Section IV.A(2)(a) shall be revised as follows:**

(a) Unless required to operate a CEMS, testing requirements apply to boilers rated thirty (30) MMBtu/hr or greater permitted for solid fuels and boilers rated greater than one hundred (100) MMBtu/hr permitted for any other fuels.

**Regulation 61-62.5, Standard No. 5.2, Section IV.B(5) shall be revised as follows:**

(5) Other Requirements

The owner or operator shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected source; any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

**Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration**

**Regulation 61-62.5, Standard No. 7, Section (b)(34)(vi) shall be revised as follows:**

(vi) A decrease in actual emissions is creditable only to the extent that:

(a) The old level of actual emissions or the old level of allowable emissions, whichever is lower, exceeds the new level of actual emissions;

(b) It is federally enforceable at and after the time that actual construction on the particular change begins; and

(c) It has approximately the same qualitative significance for public health and welfare as that attributed to the increase from the particular change.

**Regulation 61-62.5, Standard No. 7, Section (q)(2)(ii) shall be revised as follows:**

(ii) Make available in at least one location in each region in which the proposed source or modification would be constructed, a copy of all materials the applicant submitted, a copy of the preliminary determination and a copy or summary of other materials, if any, considered in making the preliminary determination. This requirement may be met by making these materials available at a physical location or on a public website identified by the Department.

**Regulation 61-62.5, Standard No. 7, Section (q)(2)(iii) shall be revised as follows:**

(iii) Notify the public, by advertisement in a newspaper of general circulation in each region in which the proposed source or modification would be constructed, of the application, the preliminary determination, the degree of increment consumption that is expected from the source or modification, and the opportunity for comment at a public hearing as well as written public comment. Alternatively, these notifications may be made on a public website identified by the Department. However, the Department's selected notification method (i.e., either newspaper or website), known as the "consistent noticing method," shall be used for all permits subject to notice under this section and may, when appropriate, be supplemented by other noticing methods on individual permits. If the Department selects website notice as its consistent noticing method, the notice shall be available for the duration of the public comment period and shall include the notice of public comment, the draft permit, information on how to access the administrative record for the draft permit and how to request and/or attend a public hearing on the draft permit.

**Regulation 61-62.5, Standard No. 7, Section (q)(2)(vi) shall be revised as follows:**

(vi) Consider all written comments submitted within a time specified in the notice of public comment and all comments received at any public hearing in making a final decision on the approvability of the application.

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No later than ten (10) days after the close of the public comment period, the applicant may submit a written response to any comments submitted by the public. The Department shall consider the applicant's response in making a final decision. The Department shall make all comments available for public inspection in the same location or on the same website where the Department made available preconstruction information relating to the proposed source or modification.

**Regulation 61-62.5, Standard No. 7, Section (q)(2)(viii) shall be revised as follows:**

(viii) Notify the applicant in writing of the final determination and make such notification available for public inspection at the same location or on the same website where the Department made available preconstruction information and public comments relating to the source or modification.

**Regulation 61-62.5, Standard No. 7, Section (w) shall be revised as follows:**

**(w) Permit rescission.**

**Regulation 61-62.5, Standard No. 7, Section (w)(1) shall be revised as follows:**

(1) Any permit issued under this section or a prior version of this regulation shall remain in effect, unless and until it expires or is rescinded under this paragraph (w).

**Regulation 61-62.5, Standard No. 7, Section (w)(2) shall be revised as follows:**

(2) Any owner or operator of a stationary source or modification who holds a permit issued under this section for the construction of a new source or modification that meets the requirement in paragraph (w)(3) of this section may request that the Department rescind the permit or a particular portion of the permit.

**Regulation 61-62.5, Standard No. 7, Section (w)(3) shall be revised as follows:**

(3) The Department may grant an application for rescission if the application shows that this section would not apply to the source or modification.

**Regulation 61-62.5, Standard No. 7, Section (w)(4) shall be revised as follows:**

(4) If the Department rescinds a permit under this paragraph, the Department shall post a notice of the rescission determination on a public website identified by the Department within 60 days of the rescission.

**Regulation 61-62.5, Standard No. 7, Section (aa) shall be revised as follows:**

**(aa) Actuals PALs.** The provisions in paragraphs (aa)(1) through (aa)(15) govern actuals PALs.

**Regulation 61-62.5, Standard No. 7, Section (aa)(1)(i) shall be revised as follows:**

(i) The Department may approve the use of an actuals PAL for any existing major stationary source if the PAL meets the requirements in paragraphs (aa)(1) through (aa)(15). The term "PAL" shall mean "actuals PAL" throughout paragraph (aa).

**Regulation 61-62.5, Standard No. 7, Section (aa)(9) shall be revised as follows:**

**(9) Expiration of a PAL.** Any PAL that is not renewed in accordance with the procedures in paragraph (aa)(10) shall expire at the end of the PAL effective period, and the requirements in paragraphs (aa)(9)(i) through (aa)(9)(v) shall apply.

**Regulation 61-62.5, Standard No. 7, Section (aa)(11)(i) shall be revised as follows:**

(i) The Department may increase a PAL emission limitation only if the major stationary source complies with the provisions in paragraphs (aa)(11)(i)(a) through (aa)(11)(i)(d).

**Regulation 61-62.5, Standard No. 7, Section (aa)(14)(i) shall be revised as follows:**

(i) **Semi-annual report.** The semi-annual report shall be submitted to the Department within 30 days of the end of each reporting period. This report shall contain the information required in paragraphs (aa)(14)(i)(a) through (aa)(14)(i)(g).

**Regulation 61-62.5, Standard No. 7, Section (bb) shall be revised as follows:**

(bb) If any provision of this regulation, or the application of such provision to any person or circumstance, is held invalid, the remainder of this regulation, or the application of such provision to persons or circumstances other than those to which it is held invalid, shall not be affected thereby.

**Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards.****Regulation 61-62.60, Subpart A, shall be revised as follows:****Subpart A - "General Provisions"**

The provisions of 40 Code of Federal Regulations (CFR) Part 60 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 60 Subpart A</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 36	December 23, 1971	[36 FR 24877]
Revision	Vol. 38	October 15, 1973	[38 FR 28565]
Revision	Vol. 39	March 8, 1974	[39 FR 9314]
Revision	Vol. 39	November 12, 1974	[39 FR 39873]
Revision	Vol. 40	April 25, 1975	[40 FR 18169]
Revision	Vol. 40	October 6, 1975	[40 FR 46254]
Revision	Vol. 40	November 17, 1975	[40 FR 53346]
Revision	Vol. 40	December 16, 1975	[40 FR 58418]
Revision	Vol. 40	December 22, 1975	[40 FR 59205]
Revision	Vol. 41	August 20, 1976	[41 FR 35185]
Revision	Vol. 42	July 19, 1977	[42 FR 37000]
Revision	Vol. 42	July 27, 1977	[42 FR 38178]
Revision	Vol. 42	November 1, 1977	[42 FR 57126]
Revision	Vol. 43	March 3, 1978	[43 FR 8800]
Revision	Vol. 43	August 3, 1978	[43 FR 34347]
Revision	Vol. 44	June 11, 1979	[44 FR 33612]
Revision	Vol. 44	September 25, 1979	[44 FR 55173]
Revision	Vol. 45	January 23, 1980	[45 FR 5617]
Revision	Vol. 45	April 4, 1980	[45 FR 23379]
Revision	Vol. 45	December 24, 1980	[45 FR 85415]
Revision	Vol. 47	January 8, 1982	[47 FR 951]

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40 CFR Part 60 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 47	July 23, 1982	[47 FR 31876]
Revision	Vol. 48	March 30, 1983	[48 FR 13326]
Revision	Vol. 48	May 25, 1983	[48 FR 23610]
Revision	Vol. 48	July 20, 1983	[48 FR 32986]
Revision	Vol. 48	October 18, 1983	[48 FR 48335]
Revision	Vol. 50	December 27, 1985	[50 FR 53113]
Revision	Vol. 51	January 15, 1986	[51 FR 1790]
Revision	Vol. 51	January 21, 1986	[51 FR 2701]
Revision	Vol. 51	November 25, 1986	[51 FR 42796]
Revision	Vol. 52	March 26, 1987	[52 FR 9781, 9782]
Revision	Vol. 52	April 8, 1987	[52 FR 11428]
Revision	Vol. 52	May 11, 1987	[52 FR 17555]
Revision	Vol. 52	June 4, 1987	[52 FR 21007]
Revision	Vol. 54	February 14, 1989	[54 FR 6662]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	December 13, 1990	[55 FR 51382]
Revision	Vol. 57	July 21, 1992	[57 FR 32338, 32339]
Revision	Vol. 59	March 16, 1994	[59 FR 12427, 12428]
Revision	Vol. 59	September 15, 1994	[59 FR 47265]
Revision	Vol. 61	March 12, 1996	[61 FR 9919]
Revision	Vol. 62	February 24, 1997	[62 FR 8328]
Revision	Vol. 62	September 15, 1997	[62 FR 48348]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 64	February 12, 1999	[64 FR 7463]
Revision	Vol. 65	August 10, 2000	[65 FR 48914]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 6, 2000	[65 FR 76350, 76378]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	February 6, 2001	[66 FR 9034]
Revision	Vol. 67	June 28, 2002	[67 FR 43550]
Revision	Vol. 68	April 14, 2003	[68 FR 17990]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]
Revision	Vol. 69	July 8, 2004	[69 FR 41346]
Revision	Vol. 70	December 16, 2005	[70 FR 74870]
Revision	Vol. 71	June 1, 2006	[71 FR 31100]
Revision	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	April 3, 2008	[73 FR 18162]
Revision	Vol. 73	May 6, 2008	[73 FR 24870]
Revision	Vol. 73	May 27, 2008	[73 FR 30308]
Revision	Vol. 73	June 24, 2008	[73 FR 35838]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]

40 CFR Part 60 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 74	October 6, 2009	[74 FR 51368]
Revision	Vol. 74	October 8, 2009	[74 FR 51950]
Revision	Vol. 74	December 17, 2009	[74 FR 66921]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 76	January 18, 2011	[76 FR 2832]
Revision	Vol. 76	March 21, 2011	[76 FR 15372]
Revision	Vol. 76	March 21, 2011	[76 FR 15704]
Revision	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	August 14, 2012	[77 FR 48433]
Revision	Vol. 77	September 12, 2012	[77 FR 56422]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 79	April 4, 2014	[79 FR 18952]
Revision	Vol. 80	March 16, 2015	[80 FR 13671]
Revision	Vol. 81	June 3, 2016	[81 FR 35824]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	August 29, 2016	[81 FR 59276, 59332]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]

**Regulation 61-62.60, Subpart Cf, shall be added in alpha-numeric order as follows:**

**Subpart Cf - “Emission Guidelines and Compliance Times for Municipal Solid Waste Landfills”**

The provisions of 40 CFR Part 60 Subpart Cf, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart Cf			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	August 29, 2016	[81 FR 59276]

**Regulation 61-62.60, Subpart Da, shall be revised as follows:**

**Subpart Da - “Standards of Performance for Electric Utility Steam Generating Units for Which Construction Is Commenced After September 18, 1978”**

The provisions of 40 CFR Part 60 Subpart Da, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart Da			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 44	June 11, 1979	[44 FR 33613]
Revision	Vol. 48	January 27, 1983	[48 FR 3737]
Revision	Vol. 54	February 14, 1989	[54 FR 6663]
Revision	Vol. 54	May 17, 1989	[54 FR 21344]
Revision	Vol. 55	February 14, 1990	[55 FR 5212]

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40 CFR Part 60 Subpart Da			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 55	May 7, 1990	[55 FR 18876]
Revision	Vol. 63	September 16, 1998	[63 FR 49453, 49454]
Revision	Vol. 64	February 12, 1999	[64 FR 7464]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 66	April 10, 2001	[66 FR 18546]
Revision	Vol. 66	June 11, 2001	[66 FR 31177]
Revision	Vol. 66	August 14, 2001	[66 FR 42608]
Revision	Vol. 71	February 27, 2006	[71 FR 9866]
Revision	Vol. 72	June 13, 2007	[72 FR 32710]
Revision	Vol. 74	January 28, 2009	[74 FR 5072]
Revision	Vol. 76	January 20, 2011	[76 FR 3517]
Revision	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	April 19, 2012	[77 FR 23399]
Revision	Vol. 78	April 24, 2013	[78 FR 24073]
Revision	Vol. 79	November 19, 2014	[79 FR 68777]
Revision	Vol. 81	April 6, 2016	[81 FR 20172]

**Regulation 61-62.60, Subpart Ja, shall be revised as follows:**

**Subpart Ja - “Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007”**

The provisions of 40 CFR Part 60 Subpart Ja, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart Ja			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	June 24, 2008	[73 FR 35838]
Revision	Vol. 73	July 28, 2008	[73 FR 43626]
Revision	Vol. 73	September 26, 2008	[73 FR 55751]
Revision	Vol. 73	December 22, 2008	[73 FR 78546]
Revision	Vol. 73	December 22, 2008	[73 FR 78549]
Revision	Vol. 77	September 12, 2012	[77 FR 56422]
Revision	Vol. 78	December 19, 2013	[78 FR 76753]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 81	July 13, 2016	[81 FR 45232]

**Regulation 61-62.60, Subpart GG, shall be revised as follows:**

**Subpart GG - “Standards of Performance for Stationary Gas Turbines”**

The provisions of 40 CFR Part 60 Subpart GG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart GG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 44	September 10, 1979	[44 FR 52798]
Revision	Vol. 47	January 27, 1982	[47 FR 3770]
Revision	Vol. 52	November 5, 1987	[52 FR 42434]
Revision	Vol. 54	February 14, 1989	[54 FR 6674]
Revision	Vol. 54	June 27, 1989	[54 FR 27016]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 68	April 14, 2003	[68 FR 17990]
Revision	Vol. 69	July 8, 2004	[69 FR 41346]
Revision	Vol. 71	February 24, 2006	[71 FR 9453]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]

**Regulation 61-62.60, Subpart BBB, shall be revised as follows:**

**Subpart BBB - “Standards of Performance for the Rubber Tire Manufacturing Industry”**

The provisions of 40 CFR Part 60 Subpart BBB, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart BBB			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 52	September 15, 1987	[52 FR 34874]
Revision	Vol. 52	October 9, 1987	[52 FR 37874]
Revision	Vol. 54	September 19, 1989	[54 FR 38635]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]

**Regulation 61-62.60, Subpart DDD, shall be revised as follows:**

**Subpart DDD - “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry”**

The provisions of 40 CFR Part 60 Subpart DDD, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart DDD			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 55	December 11, 1990	[55 FR 51035]
Revision	Vol. 56	March 5, 1991	[56 FR 9178]
Revision	Vol. 56	March 22, 1991	[56 FR 12299]
Revision	Vol. 58	April 7, 1993	[58 FR 18014]
Revision	Vol. 64	March 9, 1999	[64 FR 11541]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]

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40 CFR Part 60 Subpart DDD			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 81	June 30, 2016	[81 FR 42542]

**Regulation 61-62.60, Subpart III, shall be revised as follows:**

**Subpart III - “Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes”**

The provisions of 40 CFR Part 60 Subpart III, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart III			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 55	June 29, 1990	[55 FR 26922]
Revision	Vol. 55	September 7, 1990	[55 FR 36932]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]

**Regulation 61-62.60, Subpart LLL, shall be revised as follows:**

**Subpart LLL - “Standards of Performance for SO<sub>2</sub> Emissions from Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011”**

The provisions of 40 CFR Part 60 Subpart LLL, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart LLL			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 50	October 1, 1985	[50 FR 40160]
Revision	Vol. 54	February 14, 1989	[54 FR 6679]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 77	August 16, 2012	[77 FR 49490]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]

**Regulation 61-62.60, Subpart NNN, shall be revised as follows:**

**Subpart NNN - “Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations”**

The provisions of 40 CFR Part 60 Subpart NNN, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart NNN			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 55	June 29, 1990	[55 FR 26942]
Revision	Vol. 55	September 7, 1990	[55 FR 36932]
Revision	Vol. 60	November 27, 1995	[60 FR 58237, 58238]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 74	June 24, 2009	[74 FR 29948]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]

**Regulation 61-62.60, Subpart XXX, shall be added in alpha-numeric order as follows:**

**Subpart XXX - “Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014”**

The provisions of 40 CFR Part 60 Subpart XXX, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart XXX			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	August 29, 2016	[81 FR 59332]

**Regulation 61-62.60, Subpart CCCC, shall be revised as follows:**

**Subpart CCCC - “Standards of Performance for Commercial and Industrial Solid Waste Incineration Units”**

The provisions of 40 CFR Part 60 Subpart CCCC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart CCCC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 65	December 1, 2000	[65 FR 75338]
Revision	Vol. 66	March 27, 2001	[66 FR 16605]
Revision	Vol. 70	September 22, 2005	[70 FR 55568]
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	February 7, 2013	[78 FR 9112]
Revision	Vol. 81	June 23, 2016	[81 FR 40956]

**Regulation 61-62.60, Subpart DDDD, shall be revised as follows:**

**Subpart DDDD - “Emissions Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units”**

The provisions of 40 CFR Part 60 Subpart DDDD, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

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40 CFR Part 60 Subpart DDDD			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 65	December 1, 2000	[65 FR 75338]
Revision	Vol. 70	September 22, 2005	[70 FR 55568]
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	February 7, 2013	[78 FR 9112]
Revision	Vol. 81	June 23, 2016	[81 FR 40956]

**Regulation 61-62.60, Subpart IIII, shall be revised as follows:**

### **Subpart IIII - “Standards of Performance for Stationary Compression Ignition Internal Combustion Engines”**

The provisions of 40 CFR Part 60 Subpart IIII, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart IIII			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 71	July 11, 2006	[71 FR 39154]
Revision	Vol. 76	June 28, 2011	[76 FR 37954]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	July 7, 2016	[81 FR 44212]

**Regulation 61-62.60, Subpart JJJJ, shall be revised as follows:**

### **Subpart JJJJ - “Standards of Performance for Stationary Spark Ignition Internal Combustion Engines”**

The provisions of 40 CFR Part 60 Subpart JJJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart JJJJ			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	October 8, 2008	[73 FR 59034]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]

**Regulation 61-62.60, Subpart KKKK, shall be revised as follows:**

### **Subpart KKKK – “Standards of Performance for Stationary Combustion Turbines”**

The provisions of 40 CFR Part 60 Subpart KKKK, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart KKKK			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 71	July 6, 2006	[71 FR 38482]
Revision	Vol. 74	March 20, 2009	[74 FR 11858]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]

**Regulation 61-62.60, Subpart OOOO, shall be revised as follows:**

**Subpart OOOO - “Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015”**

The provisions of 40 CFR Part 60 Subpart OOOO, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart OOOO			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 77	August 16, 2012	[77 FR 49490]
Revision	Vol. 78	September 23, 2013	[78 FR 58416]
Revision	Vol. 79	December 31, 2014	[79 FR 79018]
Revision	Vol. 80	August 12, 2015	[80 FR 48262]
Revision	Vol. 81	June 3, 2016	[81 FR 35824]
Revision	Vol. 81	June 30, 2016	[81 FR 42542]
Revision	Vol. 81	July 6, 2016	[81 FR 43950]

**Regulation 61-62.60, Subpart OOOOa, shall be added in alpha-numeric order as follows:**

**Subpart OOOOa - “Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification, or Reconstruction Commenced After September 18, 2015”**

The provisions of 40 CFR Part 60 Subpart OOOOa, as originally published in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 60 Subpart OOOOa			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 81	June 3, 2016	[81 FR 35824]

**Regulation 61-62.61, National Emission Standards for Hazardous Air Pollutants (NESHAP)**

**Regulation 61-62.61, Subpart A, shall be revised as follows:**

**Subpart A - “General Provisions”**

The provisions of 40 Code of Federal Regulations (CFR) Part 61 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

## 40 FINAL REGULATIONS

40 CFR Part 61 Subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 38	April 6, 1973	[38 FR 8826]
Revision	Vol. 40	April 25, 1975	[40 FR 18170]
Revision	Vol. 40	October 14, 1975	[40 FR 48299]
Revision	Vol. 42	September 29, 1977	[42 FR 51574]
Revision	Vol. 44	September 25, 1979	[44 FR 55174]
Revision	Vol. 48	January 27, 1983	[48 FR 3740]
Revision	Vol. 48	December 9, 1983	[48 FR 55266]
Revision	Vol. 49	June 6, 1984	[49 FR 23520]
Revision	Vol. 50	November 7, 1985	[50 FR 46290]
Revision	Vol. 50	November 7, 1985	[50 FR 46291]
Revision	Vol. 50	November 7, 1985	[50 FR 46292]
Revision	Vol. 50	November 7, 1985	[50 FR 46293]
Revision	Vol. 50	November 7, 1985	[50 FR 46294]
Revision	Vol. 51	March 5, 1986	[51 FR 7715]
Revision	Vol. 51	March 5, 1986	[51 FR 7719]
Revision	Vol. 51	April 1, 1986	[51 FR 11022]
Revision	Vol. 51	September 30, 1986	[51 FR 34914]
Revision	Vol. 52	October 8, 1987	[52 FR 37617]
Revision	Vol. 54	September 14, 1989	[54 FR 38073]
Revision	Vol. 54	December 15, 1989	[54 FR 51704]
Revision	Vol. 55	March 7, 1990	[55 FR 8341]
Revision	Vol. 55	May 2, 1990	[55 FR 18331]
Revision	Vol. 55	May 31, 1990	[55 FR 22027]
Revision	Vol. 55	August 13, 1990	[55 FR 32914]
Revision	Vol. 57	January 13, 1992	[57 FR 1226]
Revision	Vol. 57	March 5, 1992	[57 FR 8016]
Revision	Vol. 58	January 7, 1993	[58 FR 3105]
Revision	Vol. 58	January 21, 1993	[58 FR 5299]
Revision	Vol. 58	April 7, 1993	[58 FR 18014]
Revision	Vol. 59	March 11, 1994	[59 FR 11554]
Revision	Vol. 59	March 16, 1994	[59 FR 12408]
Revision	Vol. 59	June 17, 1994	[59 FR 31157]
Revision	Vol. 59	July 15, 1994	[59 FR 36280]
Revision	Vol. 60	March 15, 1995	[60 FR 13912]
Revision	Vol. 60	August 21, 1995	[60 FR 43396]
Revision	Vol. 60	September 5, 1995	[60 FR 46206]
Revision	Vol. 60	September 28, 1995	[60 FR 50244]
Revision	Vol. 61	December 30, 1996	[61 FR 68972]
Revision	Vol. 62	January 14, 1997	[62 FR 1832]
Revision	Vol. 62	February 24, 1997	[62 FR 8314]
Revision	Vol. 63	December 1, 1998	[63 FR 66054]
Revision	Vol. 64	February 3, 1999	[64 FR 5574]
Revision	Vol. 64	February 12, 1999	[64 FR 7458]
Revision	Vol. 64	May 6, 1999	[64 FR 24288]
Revision	Vol. 65	February 28, 2000	[65 FR 10391]

40 CFR Part 61 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 14, 2000	[65 FR 78268]
Revision	Vol. 66	June 15, 2001	[66 FR 32545]
Revision	Vol. 66	August 13, 2001	[66 FR 42425, 42427]
Revision	Vol. 66	September 19, 2001	[66 FR 48211]
Revision	Vol. 67	January 23, 2002	[67 FR 3106]
Revision	Vol. 67	March 14, 2002	[67 FR 11417]
Revision	Vol. 67	April 26, 2002	[67 FR 20652]
Revision	Vol. 67	June 10, 2002	[67 FR 39622]
Revision	Vol. 67	September 9, 2002	[67 FR 57159]
Revision	Vol. 67	October 7, 2002	[67 FR 62395]
Revision	Vol. 68	April 7, 2003	[68 FR 16726]
Revision	Vol. 68	May 28, 2003	[68 FR 31611]
Revision	Vol. 68	June 17, 2003	[68 FR 35792]
Revision	Vol. 68	December 11, 2003	[68 FR 69036]
Revision	Vol. 69	March 26, 2004	[69 FR 15687]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 72	May 16, 2007	[72 FR 27437]
Revision	Vol. 73	April 3, 2008	[73 FR 18162]
Revision	Vol. 73	May 6, 2008	[73 FR 24870]
Revision	Vol. 74	October 27, 2009	[74 FR 55142]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]

**Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories.**

**Regulation 61-62.63, Subpart A, shall be revised as follows:**

**Subpart A - “General Provisions”**

The provisions of 40 Code of Federal Regulations (CFR) Part 63 Subpart A, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 59	March 16, 1994	[59 FR 12430]
Revision	Vol. 59	April 22, 1994	[59 FR 19453]
Revision	Vol. 59	December 6, 1994	[59 FR 62589]
Revision	Vol. 60	January 25, 1995	[60 FR 4963]
Revision	Vol. 60	June 27, 1995	[60 FR 33122]
Revision	Vol. 60	September 1, 1995	[60 FR 45980]
Revision	Vol. 61	May 21, 1996	[61 FR 25399]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]

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40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 62	December 10, 1997	[62 FR 65024]
Revision	Vol. 63	May 4, 1998	[63 FR 24444]
Revision	Vol. 63	May 13, 1998	[63 FR 26465]
Revision	Vol. 63	September 21, 1998	[63 FR 50326]
Revision	Vol. 63	October 7, 1998	[63 FR 53996]
Revision	Vol. 63	December 1, 1998	[63 FR 66061]
Revision	Vol. 64	January 28, 1999	[64 FR 4300]
Revision	Vol. 64	February 12, 1999	[64 FR 7468]
Revision	Vol. 64	April 12, 1999	[64 FR 17562]
Revision	Vol. 64	June 10, 1999	[64 FR 31375]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 67	February 14, 2002	[67 FR 6968]
Revision	Vol. 67	February 27, 2002	[67 FR 9156]
Revision	Vol. 67	April 5, 2002	[67 FR 16582]
Revision	Vol. 67	June 10, 2002	[67 FR 39794]
Revision	Vol. 67	July 23, 2002	[67 FR 48254]
Revision	Vol. 68	February 18, 2003	[68 FR 7706]
Revision	Vol. 68	April 21, 2003	[68 FR 19375]
Revision	Vol. 68	May 6, 2003	[68 FR 23898]
Revision	Vol. 68	May 8, 2003	[68 FR 24653]
Revision	Vol. 68	May 20, 2003	[68 FR 27646]
Revision	Vol. 68	May 23, 2003	[68 FR 28606]
Revision	Vol. 68	May 27, 2003	[68 FR 28774]
Revision	Vol. 68	May 28, 2003	[68 FR 31746]
Revision	Vol. 68	May 29, 2003	[68 FR 32172]
Revision	Vol. 68	May 30, 2003	[68 FR 32586]
Revision	Vol. 68	November 13, 2003	[68 FR 64432]
Revision	Vol. 68	December 19, 2003	[68 FR 70960]
Revision	Vol. 69	January 2, 2004	[69 FR 130]
Revision	Vol. 69	February 3, 2004	[69 FR 5038]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 69	April 19, 2004	[69 FR 20968]
Revision	Vol. 69	April 22, 2004	[69 FR 21737]
Revision	Vol. 69	April 26, 2004	[69 FR 22602]
Revision	Vol. 69	June 15, 2004	[69 FR 33474]
Revision	Vol. 69	July 30, 2004	[69 FR 45944]
Revision	Vol. 69	September 13, 2004	[69 FR 55218]
Revision	Vol. 70	April 15, 2005	[70 FR 19992]
Revision	Vol. 70	May 20, 2005	[70 FR 29400]
Revision	Vol. 70	October 12, 2005	[70 FR 59402]
Revision	Vol. 71	February 16, 2006	[71 FR 8342]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 71	July 28, 2006	[71 FR 42898]
Revision	Vol. 71	December 6, 2006	[71 FR 70651]
Revision	Vol. 72	January 3, 2007	[72 FR 26]

40 CFR Part 63 Subpart A			
Federal Register Citation	Volume	Date	Notice
Revision	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 16, 2007	[72 FR 38864]
Revision	Vol. 72	October 29, 2007	[72 FR 61060]
Revision	Vol. 72	November 16, 2007	[72 FR 64860]
Revision	Vol. 72	December 26, 2007	[72 FR 73180]
Revision	Vol. 72	December 28, 2007	[72 FR 74088]
Revision	Vol. 73	January 2, 2008	[73 FR 226]
Revision	Vol. 73	January 9, 2008	[73 FR 1738]
Revision	Vol. 73	January 10, 2008	[73 FR 1916]
Revision	Vol. 73	January 18, 2008	[73 FR 3568]
Revision	Vol. 73	February 7, 2008	[73 FR 7210]
Revision	Vol. 73	March 7, 2008	[73 FR 12275]
Revision	Vol. 73	July 23, 2008	[73 FR 42978]
Revision	Vol. 73	December 22, 2008	[73 FR 78199]
Revision	Vol. 74	June 25, 2009	[74 FR 30366]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 75	September 13, 2010	[75 FR 55636]
Revision	Vol. 76	February 17, 2011	[76 FR 9450]
Revision	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	April 17, 2012	[77 FR 22848]
Revision	Vol. 77	September 11, 2012	[77 FR 55698]
Revision	Vol. 78	January 30, 2013	[78 FR 6674]
Revision	Vol. 78	January 31, 2013	[78 FR 7138]
Revision	Vol. 78	February 1, 2013	[78 FR 7488]
Revision	Vol. 78	June 20, 2013	[78 FR 37133]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 79	March 27, 2014	[79 FR 17340]
Revision	Vol. 80	June 30, 2015	[80 FR 37365]
Revision	Vol. 80	August 19, 2015	[80 FR 50385]
Revision	Vol. 80	September 18, 2015	[80 FR 56699]
Revision	Vol. 80	October 15, 2015	[80 FR 62389]
Revision	Vol. 80	October 26, 2015	[80 FR 65469]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 80	December 4, 2015	[80 FR 75817]
Revision	Vol. 81	August 30, 2016	[81 FR 59800]

**Regulation 61-62.63, Subpart CC, shall be revised as follows:**

**Subpart CC - “National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries”**

The provisions of 40 CFR Part 63 Subpart CC, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

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40 CFR Part 63 Subpart CC			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	August 18, 1995	[60 FR 43260]
Revision	Vol. 60	September 27, 1995	[60 FR 49976]
Revision	Vol. 61	February 23, 1996	[61 FR 7051]
Revision	Vol. 61	June 12, 1996	[61 FR 29878]
Revision	Vol. 61	June 28, 1996	[61 FR 33799]
Revision	Vol. 62	February 21, 1997	[62 FR 7938]
Revision	Vol. 63	March 20, 1998	[63 FR 13537]
Revision	Vol. 63	May 18, 1998	[63 FR 27212]
Revision	Vol. 63	June 9, 1998	[63 FR 31361]
Revision	Vol. 63	August 18, 1998	[63 FR 44140]
Revision	Vol. 65	May 8, 2000	[65 FR 26491]
Revision	Vol. 65	July 6, 2000	[65 FR 41594]
Revision	Vol. 66	May 25, 2001	[66 FR 28840]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 74	October 28, 2009	[74 FR 55670]
Revision	Vol. 75	June 30, 2010	[75 FR 37730]
Revision	Vol. 76	July 18, 2011	[76 FR 42052]
Revision	Vol. 78	June 20, 2013	[78 FR 37133]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 81	July 13, 2016	[81 FR 45232]

**Regulation 61-62.63, Subpart GG, shall be revised as follows:**

#### **Subpart GG - “National Emission Standards for Aerospace Manufacturing and Rework Facilities”**

The provisions of 40 CFR Part 63 Subpart GG, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

40 CFR Part 63 Subpart GG			
Federal Register Citation	Volume	Date	Notice
Original Promulgation	Vol. 60	September 1, 1995	[60 FR 45956]
Revision	Vol. 61	February 9, 1996	[61 FR 4903]
Revision	Vol. 61	December 17, 1996	[61 FR 66227]
Revision	Vol. 63	March 27, 1998	[63 FR 15006]
Revision	Vol. 63	September 1, 1998	[63 FR 46526]
Revision	Vol. 65	October 17, 2000	[65 FR 61744]
Revision	Vol. 65	December 8, 2000	[65 FR 76941]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 80	December 7, 2015	[80 FR 76151]
Revision	Vol. 81	August 3, 2016	[81 FR 51114]

**Regulation 61-62.63, Subpart LLL, shall be revised as follows:**

**Subpart LLL - “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry”**

The provisions of 40 CFR Part 63 Subpart LLL, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart LLL</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 64	June 14, 1999	[64 FR 31898]
Revision	Vol. 64	September 30, 1999	[64 FR 52828]
Revision	Vol. 67	April 5, 2002	[67 FR 16614]
Revision	Vol. 67	December 6, 2002	[67 FR 72580]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 71	December 20, 2006	[71 FR 76518]
Revision	Vol. 75	September 9, 2010	[75 FR 54970]
Revision	Vol. 76	January 18, 2011	[76 FR 2832]
Revision	Vol. 78	February 12, 2013	[78 FR 10006]
Revision	Vol. 80	July 27, 2015	[80 FR 44771]
Revision	Vol. 80	September 11, 2015	[80 FR 54728]
Revision	Vol. 81	July 25, 2016	[81 FR 48356]

**Regulation 61-62.63, Subpart RRR, shall be revised as follows:**

**Subpart RRR - “National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production”**

The provisions of 40 CFR Part 63 Subpart RRR, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart RRR</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 65	March 23, 2000	[65 FR 15690]
Revision	Vol. 67	June 14, 2002	[67 FR 41118]
Revision	Vol. 67	August 13, 2002	[67 FR 52616]
Revision	Vol. 67	September 24, 2002	[67 FR 59787]
Revision	Vol. 67	November 8, 2002	[67 FR 68038]
Revision	Vol. 67	December 30, 2002	[67 FR 79808]
Revision	Vol. 68	June 23, 2003	[68 FR 37334]
Revision	Vol. 69	September 3, 2004	[69 FR 53980]
Revision	Vol. 70	October 3, 2005	[70 FR 57513]
Revision	Vol. 70	December 19, 2005	[70 FR 75320]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 79	February 27, 2014	[79 FR 11228]
Revision	Vol. 80	September 18, 2015	[80 FR 56699]
Revision	Vol. 81	June 13, 2016	[81 FR 38085]

**Regulation 61-62.63, Subpart UUU, shall be revised as follows:**

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### **Subpart UUU - “National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units”**

The provisions of 40 CFR Part 63 Subpart UUU, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart UUU</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 67	April 11, 2002	[67 FR 17762]
Revision	Vol. 69	April 9, 2004	[69 FR 18801]
Revision	Vol. 70	February 9, 2005	[70 FR 6930]
Revision	Vol. 71	April 20, 2006	[71 FR 20446]
Revision	Vol. 80	December 1, 2015	[80 FR 75178]
Revision	Vol. 81	July 13, 2016	[81 FR 45232]

**Regulation 61-62.63, Subpart UUUUU, shall be revised as follows:**

### **Subpart UUUUU - “National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units”**

The provisions of 40 CFR Part 63 Subpart UUUUU, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart UUUUU</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 77	February 16, 2012	[77 FR 9304]
Revision	Vol. 77	April 19, 2012	[77 FR 23399]
Revision	Vol. 77	August 2, 2012	[77 FR 45967]
Revision	Vol. 78	April 24, 2013	[78 FR 24073]
Revision	Vol. 79	November 19, 2014	[79 FR 68777, 68795]
Revision	Vol. 80	March 24, 2015	[80 FR 15510]
Revision	Vol. 81	April 6, 2016	[81 FR 20172]

**Regulation 61-62.63, Subpart EEEEEEE, shall be revised as follows:**

### **Subpart EEEEEEE - “National Emission Standards for Hazardous Air Pollutants for Primary Copper Smelting Area Sources”**

The provisions of 40 CFR Part 63 Subpart EEEEEEE, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart EEEEEEE</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 72	January 23, 2007	[72 FR 2930]
Revision	Vol. 72	July 3, 2007	[72 FR 36363]

**Regulation 61-62.63, Subpart JJJJJJ, shall be revised as follows:**

**Subpart JJJJJJ - "National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources"**

The provisions of 40 CFR Part 63 Subpart JJJJJJ, as originally published in the Federal Register and as subsequently amended upon publication in the Federal Register as listed below, are incorporated by reference as if fully repeated herein.

<b>40 CFR Part 63 Subpart JJJJJJ</b>			
<b>Federal Register Citation</b>	<b>Volume</b>	<b>Date</b>	<b>Notice</b>
Original Promulgation	Vol. 69	September 13, 2004	[69 FR 55217]
Revision	Vol. 70	December 28, 2005	[70 FR 76918]
Revision	Vol. 71	December 6, 2006	[71 FR 70651]
Revision	Vol. 76	March 21, 2011	[76 FR 15554]
Revision	Vol. 76	March 21, 2011	[76 FR 15608]
Revision	Vol. 76	May 18, 2011	[76 FR 28662]
Revision	Vol. 78	January 31, 2013	[78 FR 7138]
Revision	Vol. 78	February 1, 2013	[78 FR 7488]
Revision	Vol. 81	September 14, 2016	[81 FR 63112]

**Regulation 61-62.70, Title V Operating Permit Program**

**Regulation 61-62.70.7 (e)(2)(ii)(C), shall be revised as follows:**

(C) Certification by a responsible official, consistent with Section 70.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and

**Regulation 61-62.70.7 (h)(1), shall be revised as follows:**

(1) Notice shall be given by one of the following methods: By publishing the notice in a newspaper of general circulation in the area where the source is located (or in a State publication designed to give general public notice) or by posting the notice, for the duration of the public comment period, on a public website identified by the Department, if the Department has selected website noticing as its "consistent noticing method." The consistent noticing method shall be used for all draft permits subject to notice under this paragraph. If website noticing is selected as the consistent noticing method, the draft permit shall also be posted, for the duration of the public comment period, on a public website identified by the Department. In addition, notice shall be given to persons on a mailing list developed by the Department using generally accepted methods (e.g., hyperlink sign-up function or radio button on an agency website, sign-up sheet at a public hearing, etc.) that enable interested parties to subscribe to the mailing list. The Department may update the mailing list from time to time by requesting written indication of continued interest from those listed. The Department may delete from the list the name of any person who fails to respond to such a request within a reasonable timeframe. The Department may use other means to provide adequate notice to the affected public;

**Regulation 61-62.70.7 (h)(2), shall be revised as follows:**

(2) The notice shall identify the affected facility; the name and address of the permittee; the name and address of the Department; the activity or activities involved in the permit action; the emissions change involved in any permit modification; the name, address, and telephone number of a person (or an email or website address) from whom interested persons may obtain additional information, including copies of the permit draft, the application, all relevant supporting materials, including any permit application, compliance plan, permit, and

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monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to Section 114(c) of the Act (the contents of a Part 70 permit shall not be entitled to protection under Section 114(c) of the Act), and all other materials available to the Department (except for publicly-available materials and publications) that are relevant to the permit decision; a brief description of the comment procedures required by this part; and the time and place of any hearing that may be held, including a statement of procedures to request a hearing (unless a hearing has already been scheduled);

**Regulation 61-62.70.9 (b)(2)(ii)(A), shall be revised as follows:**

(A) The actual emissions of sources for which no fee is required under Section 70.9(b)(4);

### **Regulation 61-62.97, Cross-State Air Pollution Rule (CSAPR) Trading Program**

**Regulation 61-62.97 shall be added as follows:**

#### **61-62.97. Cross-State Air Pollution Rule (CSAPR) Trading Program.**

##### **Subpart A - South Carolina CSAPR NO<sub>x</sub> Annual Trading Program**

1. Except as provided in paragraphs 2. and 3. of this subpart, the provisions of the July 1, 2016 edition of 40 CFR 97.402 through 97.408, 97.411 through 97.418, 97.420 through 97.428, and 97.430 through 97.435 as amended at 81 FR 74604-07 (October 26, 2016) are adopted and incorporated by reference.

2. The provisions of 40 CFR 97.411(b)(2) and (c)(5)(iii), 97.412(b), and 97.421(h) and (j) are not adopted or incorporated by reference.

3. For purposes of this subpart, the provisions of 40 CFR 97.404(a)(1) and (b)(1) that are otherwise adopted and incorporated by reference are modified by removing the phrase “The following units in a State (and Indian country within the borders of such State)” and adding in its place the phrase “The following units in South Carolina (but not in Indian country within South Carolina’s borders)”.

4. For purposes of this subpart, for the control periods in 2017 and thereafter, the South Carolina NO<sub>x</sub> Annual trading budget, new unit set-aside, and Indian country new unit-set aside for allocations of CSAPR NO<sub>x</sub> Annual allowances, and the variability limit for the South Carolina NO<sub>x</sub> Annual trading budget, are as follows:

- a. The NO<sub>x</sub> Annual trading budget is 32,498 tons.
- b. The new unit set-aside is 620 tons.
- c. The Indian country new unit set-aside is 33 tons.
- d. The variability limit is 5,850 tons.
- e. The South Carolina NO<sub>x</sub> Annual trading budget in this subpart includes any tons in the new unit set-aside or Indian country new unit set-aside but does not include any tons in the variability limit.

##### **Subpart B - South Carolina CSAPR SO<sub>2</sub> Group 2 Trading Program**

1. Except as provided in paragraphs 2. and 3. of this subpart, the provisions of the July 1, 2016 edition of 40 CFR 97.702 through 97.708, 97.711 through 97.718, 97.720 through 97.728, and 97.730 through 97.735 as amended at 81 FR 74618-21 (October 26, 2016) are adopted and incorporated by reference.

2. The provisions of 40 CFR 97.711(b)(2) and (c)(5)(iii), 97.712(b), and 97.721(h) and (j) are not adopted or incorporated by reference.

3. For purposes of this subpart, the provisions of 40 CFR 97.704(a)(1) and (b)(1) that are otherwise adopted and incorporated by reference are modified by removing the phrase “The following units in a State (and Indian

country within the borders of such State)” and adding in its place the phrase “The following units in South Carolina (but not in Indian country within South Carolina’s borders)”.

4. For purposes of this subpart, for the control periods in 2017 and thereafter, the South Carolina SO<sub>2</sub> Group 2 trading budget, new unit set-aside, and Indian country new unit-set aside for allocations of CSAPR SO<sub>2</sub> Group 2 allowances, and the variability limit for the South Carolina SO<sub>2</sub> Group 2 trading budget, are as follows:

- a. The SO<sub>2</sub> Group 2 trading budget is 96,633 tons.
- b. The new unit set-aside is 1,836 tons.
- c. The Indian country new unit set-aside is 97 tons.
- d. The variability limit is 17,394 tons.
- e. The South Carolina SO<sub>2</sub> Group 2 trading budget in this subpart includes any tons in the new unit set-aside or Indian country new unit set-aside but does not include any tons in the variability limit.

**Statement of Need and Reasonableness:**

This Statement of Need and Reasonableness was determined by staff analysis pursuant to S.C. Code Section 1-23-115(C)(1)-(3) and (9)-(11).

**DESCRIPTION OF REGULATION:**

Amendment of Regulation 61-62, Air Pollution Control Regulations and Standards, and the South Carolina Air Quality Implementation Plan (“SIP”).

**Purpose:**

(1) The United States Environmental Protection Agency (“EPA”) promulgated amendments to national air quality standards in 2016. The recent federal amendments include clarification, guidance and technical revisions to SIP requirements promulgated pursuant to 42 U.S.C. Sections 7410 & 7413, New Source Performance Standards (“NSPS”) mandated by 42 U.S.C. Section 7411, federal National Emission Standards for Hazardous Air Pollutants (“NESHAP”) for Source Categories mandated by 42 U.S.C. Section 7412, and Prevention of Significant Deterioration (“PSD”) and Title V Operating Program provisions promulgated under title I and title V of the CAA.

(2) These revisions therefore amend Regulation 61-62.1, Definitions and General Requirements; Regulation 61-62.5, Standard No. 7, Prevention of Significant Deterioration; Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards; Regulation 61-62.61, National Emission Standards for Hazardous Air Pollutants; Regulation 61-62.63, National Emission Standards for Hazardous Air Pollutants (NESHAP) for Source Categories; Regulation 61-62.70, Title V Operating Permit Program; and the SIP, to adopt the federal amendments to these standards promulgated from January 1, 2016, through December 31, 2016.

(3) These amendments also add Regulation 61-62.97, Cross-State Air Pollution Rule (CSAPR) Trading Program, to incorporate the EPA’s CSAPR trading program for South Carolina in 40 CFR Part 97 for NO<sub>x</sub> (Annual) and SO<sub>2</sub> (Annual), as published in the Federal Register on August 8, 2011 (76 FR 48208) and subsequently amended on June 12, 2012 (77 FR 34830), December 3, 2014 (79 FR 71663), and October 26, 2016 (81 FR 74504). This regulation addresses mandatory transport and regional haze SIP infrastructure elements pursuant to 42 U.S.C. Sections 7410 and 7491.

(4) Other changes to Regulation 61-62 were made that include corrections for internal consistency, clarification, reference, punctuation, codification, formatting, and spelling to improve the overall text of Regulation 61-62 as necessary. The citations where these revisions were made are listed within the Section-by-Section Discussion of Amendments.

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### Legal Authority:

The South Carolina Pollution Control Act, 1976 Code Section 48-1-10 et seq. ("Pollution Control Act"), authorizes the Department to adopt emission control regulations, standards, and limitations, and take all actions necessary or appropriate to secure to the State the benefits of federal air pollution control laws. Pursuant to the Pollution Control Act, along with the federal Clean Air Act, 42 U.S.C. Sections 7410, 7413, and 7416, the Department must ensure national primary and secondary ambient air quality standards are achieved and maintained in South Carolina. No state may adopt or enforce an emission standard or limitation less stringent than these federal standards or limitations pursuant to 42 U.S.C. Section 7416.

### Plan for Implementation:

The amendments took effect upon approval by the Board of Health and Environmental Control and by publication in the State Register. These requirements are in place at the federal level and are currently being implemented. The amendments will be implemented in South Carolina by providing the regulated community with copies of the regulation, publishing associated information on the Department's website at <http://www.scdhec.gov/Agency/RegulationsAndUpdates/>, sending an email to stakeholders, and communicating with affected facilities during the permitting process.

### DETERMINATION OF NEED AND REASONABLENESS OF THE REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:

The EPA promulgates amendments to 40 CFR Parts 50, 51, 52, 60, 61, 63, and 70 throughout each calendar year. Federal amendments in 2016 included new and revised NSPS rules, NESHAPs, and NESHAPs for Source Categories, and amendments to PSD and Title V permitting provisions. The Department is adopting these federal amendments to maintain compliance with federal law. The EPA has also promulgated regulations under 40 CFR Part 97 establishing CSAPR trading provisions for South Carolina for NO<sub>x</sub> (Annual) and SO<sub>2</sub> (Annual). Adoption of the federal CSAPR trading program is necessary to address mandatory transport and regional haze SIP infrastructure elements pursuant to 42 U.S.C. Sections 7410 and 7491. The above amendments are reasonable as they promote consistency and ensure compliance with both state and federal regulations.

### DETERMINATION OF COSTS AND BENEFITS:

The regulations are not subject to the requirements of a fiscal impact statement or a preliminary assessment report. The Department does not anticipate an increase in costs to the State or its political subdivisions resulting from these revisions. The standards to be adopted are already in effect and applicable to the regulated community as a matter of federal law, thus the regulated community has already incurred the cost of these regulations. The amendments incorporate the revisions to the EPA regulations, which the Department implements pursuant to the authority granted by Section 48-1-50 of the Pollution Control Act. These amendments will benefit the regulated community by maintaining State implementation of the federal requirements, as opposed to federal implementation.

### UNCERTAINTIES OF ESTIMATES:

There are no uncertainties of estimates relative to the costs to the State or its political subdivisions.

### EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:

Adoption of the recent changes in federal regulations through these amendments to Regulation 61-62, Air Pollution Control Regulations and Standards, will continue State-focused protection of the environment and public health.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATIONS ARE NOT IMPLEMENTED:**

The State's authority to implement federal requirements, which is beneficial to the public health and environment of South Carolina, would be compromised if these amendments are not adopted.